S.B.CRIMINAL MISC. BAIL APPLICATION NO.4822/2007

(Smt. Dadmi & Ors. vs. State of Rajasthan)

DATE OF ORDER : October 04, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.B.S.Rathore, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor for State.
Mr.Suresh Kumbhat, for the complainant.

Heard learned counsel for the petitioners and the Public Prosecutor for the State assisted by counsel for the complainant. Perused the order impugned and the police investigation diary.

Learned counsel for the petitioners and the counsel appearing for the complainant submit that the parties have compromised the matter. Learned Public Prosecutor submits that no overt act has been assigned to the present petitioners on the basis of the police investigation diary. Learned counsel appearing for the complainant submits that the first informant has no objection, if the petitioners are granted bail.

In view of the statements of the learned counsel for the parties and the fact that no overt act has been assigned to the present petitioners, I consider it just and proper to grant anticipatory bail to accused petitioners.

Accordingly, the bail application filed by the petitioners under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioners Smt. Dadmi w/o Malam Ji, Mamoi w/o Binda Ram and Smt. English w/o Bharta Ji in FIR No.141/2007, P.S. Raniwada, they shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount each to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

The petitioners shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-